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Joint written statement* submitted by the International Youth and Student Movement for the United Nations, a non-governmental organization in general consultative status, Asociación Española para el Derecho Internacional de los Derechos Humanos AEDIDH, American Association of Jurists, Armenian Constitutional Right-Protective Centre, Armenian Young Lawyers Association, Association "For Sustainable Human Development", Association of War-Affected Women, Autre Vie, Center for Development of Civil Society, Foundation for Human Horizon, International Association of Peace Messenger Cities, International Institute for Child Protection, International Network for the Prevention of Elder Abuse, International Organization for the Elimination of All Forms of Racial Discrimination, Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco, IUS PRIMI VIRI International Association, Lama Gangchen World Peace Foundation (LGWPF), Lawyers' Rights Watch Canada, MiRA Resource Center for Black Immigrant and Refugee Women, Organisation internationale pour les pays les moins avancés (OIPMA), Pax Christi International, International Catholic Peace Movement, Shirley Ann Sullivan Educational Foundation, Sisters of Notre Dame de Namur, Women Environmental Programme, Women's World Summit Foundation,

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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World Association for Psychosocial Rehabilitation, Yayasan Pendidikan Indonesia, non-governmental organizations in special consultative status, Dzeno Association, International Peace Bureau, International Society for Human Rights, non-governmental organizations on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 May 2015]

Civil society views on the third session of the Working Group on the Right to Peace*

The Chairperson-Rapporteur of the Working Group on the Right to Peace distributed on 31 March 2015 his **second draft declaration**, to be discussed during the third session of the Working Group, held in Geneva from 20 to 24 April 2015.

Following the approach suggested, guided by the wish to obtain a consensus text, the draft declaration showed again a minimalist approach that did not recognise the human right to peace nor it defined its elements, so it did not provide any added value to the current state of international human rights law.

The debates held during the third session of the Working Group were focused in the preambular paragraphs of the draft and they introduced no essential changes.

At the end of the debate, the Chairperson-Rapporteur submitted on 24 April 2015 his **third draft declaration** (incomplete) with nine paragraphs of the preamble between square brackets, since they were objected by some States. Regarding the title and the operative part, which reproduced almost the same draft that was submitted on 31 March 2015, they were not either subject to debate due to a lack of time, so they were also submitted between square brackets. Having acknowledged the failure in finalizing the draft declaration because of lack of consensus, the Chairperson-Rapporteur announced his resignation.

Article 1 makes reference to the three United Nations pillars, as follows:

> Everyone has the right to enjoy peace such that security is maintained, all human rights are promoted and protected and development is fully realized.

The 627 undersigned civil society organizations consider that article 1 is highly insufficient since it does not recognise the human right to peace nor develop its fundamental elements, as did the Declaration on the Right to Peace of the Advisory Committee (2012) and the Santiago Declaration on the Human Right to Peace, approved by the international civil society in 2010.

Both documents had identified the following essential elements, which should be incorporated to the third draft declaration of the Chairperson-Rapporteur: the right to human security; the right to disarmament; the right to peace education and training; the right to conscientious objection to military service; the right to resistance and opposition to oppression; the duty to regulate the conduct and responsibilities of both private military and security companies and peacekeeping missions; the right to development; the right to environment; the right of victims of human rights violations to truth, justice, reparation and guarantees of non-repetition; the rights of individuals belonging to vulnerable groups; and the rights of refugees and migrants.

Article 2 refers to elemental obligations of the States, as follows:

> States should respect, implement and promote equality and non-discrimination, justice and the rule of law and guarantee the security of their people, fulfil their needs and ensure the protection and promotion of their universally recognized human rights and fundamental freedoms as a means to build peace.

These obligations were already affirmed in the Universal Declaration of Human Rights, the United Nations Millennium Declaration, and the Outcome Document of the 2005 World Summit. They should be now developed in accordance with articles 2 and following of the Advisory Committee Declaration on the Right to Peace and articles 3 and following of the Santiago Declaration on the Human Right to Peace.

Article 3 of the third draft declaration of the Chairperson-Rapporteur states:

> States, the United Nations and specialized agencies should take appropriate sustainable measures to implement the present Declaration. Encourages international, regional, national and local organizations and civil society to support and assist in the implementation of the present Declaration.

The undersigned civil society organizations consider that, as stated in the Santiago Declaration and Advisory Committee Declaration, the duties for States and other actors to fulfil the human right to peace and each of its essential elements should be further spelled out.

Among them, States should urgently reform the Security Council so it could assume effectively its responsibilities concerning the maintenance of international peace and security, as stated in Art. 13 paragraph 8 of the Santiago Declaration. The urgency of this reform is justified today more than ever, given the extremely serious context of international crisis, marked by an unprecedented arms race and warlike escalation, with its aftermaths of death and destruction.

Finally, **article 4** of the third Chairperson-Rapporteur's draft declaration establishes that:

> Nothing in the present Declaration shall be construed as being contrary to the purposes and principles of the United Nations. The provisions included in this Declaration are to be interpreted in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights and international law.

We consider more accurate the final provisions contained in Article 14 of the Advisory Committee Declaration on the Right to Peace.

Furthermore, article 4 should foresee the establishment of a monitoring body of the future Declaration that, in our view, should be a working group of independent experts on the human right to peace, appointed by the General Assembly.

Finally, the Chairperson-Rapporteur recommended to the Council evaluating if the international community is in a good position to continue developing the right to peace by consensus at this moment.

The undersigned civil society organizations remind that the United Nations was established 70 years ago with the firmly purpose of maintaining international peace and security and strengthening universal peace[1], to save succeeding generations from the scourge of war[2].

Consequently, the General Assembly recognized in 1978 the inherent right of every nation and every individual to live in peace[3], and in 1984 the sacred right of all peoples to peace[4].

It is now up to the international community to recognise and develop the human right to peace, in light of the current developments of the international human rights law[5], as well as the work undertaken by this Council in favour of the human right to peace since 2008, at the request of civil society.

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[1] United Nations Charter, articles 1.1 and 1.2.

[2] United Nations Charter, Preamble.

[3] Declaration adopted in the resolution 33/73 of the General Assembly, 15 December 1978

[4] Declaration adopted in the resolution 39/11 of the General Assembly, 12 November 1984

[5] Four regional documents equally recognise the right to peace, as follows: the African Charter on Human and Peoples' Rights, the Protocol to the African Charter on the Rights of Women in Africa, the Ibero-American Convention on Youth Rights and the Human Rights Declaration of the ASEAN member States.

In **conclusion**, the 627 undersigned civil society organizations request the Council:

1. To extend the mandate of the Working Group on the Right to Peace.
2. To invite the Working Group to renew the negotiation of the future Declaration of the United Nations on the Human Right to Peace, taking into account its essential elements, as developed both by the Advisory Committee Declaration on the Right to Peace (2012) and civil society in the Santiago Declaration on the Right to Peace (2010).

Ultimately, we believe that the future United Nations Declaration on the Human Right to Peace should require a normative development that would constitute a clear departure from political declarations adopted in the past. For this reason, it must proclaim with no ambiguity that every individual and all peoples are right-holders of the human right to peace. This right must be spell out with the substantive contents claimed by international civil society, thus being a significant step forward in the development of international human rights law, which is the basis to achieve freedom, justice and peace in the world[6].

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*International Observatory of the Human Right to Peace; RET International; PROSALUS; Fundación Seminario de Investigación para la Paz; The Liberties Group for Development and Human Rights (LGDHR); World Congress of Overseas Pakistanis; Indigenous Forum, AIDB Burundi; Bureau for Reconstruction and Development (BRD); International-Lawyers.Org; Kataliko actions for Africa-KAF; Somos Paz; Peace Without Limits (PWL); Fundación Cultura de Paz; Red de Semillas Libres Chile; COFAVIC; Fundación Regional de Asesoría en Derechos Humanos INREDH; Red Internacional de Derechos Humanos; Institut de Drets Humans de Catalunya; Asociación Pro Derechos Humanos de Andalucía (APDHA); Associació per a la recuperació de la memòria històrica de Catalunya; TransConflict; Children's Project International; Instituto de Derechos Humanos Sri Aurobindo; Amigos de la Tierra España; Coordination forum of Palestinian NGOs in Lebanon (18 members); International Federation for Peace and Conciliation (22 members); *International Associaton of Peace Messenger Cities (109 members); *International Peace Bureau (300 members); Pax Christi International (124 members). NGOs without consultative status, also share the views expressed in this statement.

[6] Universal Declaration of Human Rights, preamble, paragraph 1.